

REMARKS

It is respectfully requested that this Preliminary Amendment be entered in the above-identified application prior to continued examination.

In the Final Official Action, the Examiner combined the Chang reference (previously cited against claim 6) with the Takahashi reference to reject claims 7-12. Specifically, the Examiner rejected claims 7-12 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,791,601 to Chang et al., (hereinafter "Chang") in view of U.S. Patent No. 5,061,994 to Takahashi (hereinafter "Takahashi").

In the previous response filed under 37 CFR 1.116, Applicants respectfully traversed the Examiner's rejection under 35 U.S.C. § 103(a) arguing (1), that the term "medical device" as recited in claim 7 cannot include a peripheral device such as a light source but must be a device used for a medical action on the body, (2) that Chang does not contain any description of the display control unit in either Figures 8-11 of Chang or in the accompanying description in the specification of Chang, (3) since the Examiner admits that Chang does not disclose the state change recording unit, then Chang cannot disclose the display control unit which relates the image recording start time to the time of occurrence of the change in state recorded in the state change recording unit and (4) Takahashi teaches a state sensing means, which outputs a signal representing the state of a recording medium, not information of a change in state.

In an Advisory Action issued on January 31, 2006, the Examiner argues as broadly claimed, Chang discloses a first medical device (2) and a second medical device (7) and the combination of Chang and Takahashi disclose a medical system having a display control unit which is inherently capable of recording and displaying state change information.

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In response to the Advisory Action, claims 8, 9, 11 and 12 have been canceled, thereby rendering the rejections thereof moot. Furthermore, claim 7 has been amended to clarify its distinguishing features and claim 10 has been amended to be consistent with amended claim 7. The amendment to claim 7 is fully supported in the original disclosure. Thus, no new matter has been entered into the disclosure by way of the present amendment to claim 7.

In the Final Official Action, the Examiner admits that the state change-recording unit is not shown in the cited references. Thus, Applicants have argued that it would therefore be impossible for the references to disclose displaying the past state change information so as to match the played image when playing the image. Thus, as a matter of course, without the state change-recording unit to record the state change information, it is not possible to display later at the time of displaying. In the Advisory Action, the Examiner argues that the combination of Chang and Takahashi disclose a medical system having a display control unit which is inherently capable of recording and displaying state change information. However, one cannot base obviousness upon what a reference could or might show but rather must consider what the prior art would have led a person skilled in the art to do. In re Antonie, 559 F.2d 618 195 USPQ 6 (CCPA, 1977). Since, neither Chang nor Takahashi expressly disclose such features, the combination thereof would not teach such features to those of ordinary skill in the art.

However, in the interests of advancing prosecution, claim 7 has been amended to recite that the display control unit displays the information of the operation at the occurrence time corresponding to the time of having recorded the image that is played and displayed on the play and display unit by comparing the time to have started the recording of

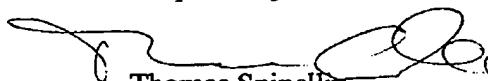
the image recorded in the image recording unit and the occurrence time of the information recorded in the state information recording unit in case where the image recorded in the image recording unit is again played and displayed on the play and display unit after recording. Independent claim 7 has also been amended to clarify that the first and second medical devices are used for different medical actions. Lastly, claim 7 has been further amended to clarify the function of the state information recording unit. Specifically, the state information recording unit, when a change in setting of or an operation for driving or an error of at least one of the first medical device and the second medical device changes is informed, records information related to the contents thereof and the occurrence time of the information.

Therefore, independent claim 7, as amended, is not rendered obvious by the cited references because neither the Chang patent nor the Takahashi patent, whether taken alone or in combination, teach or suggest a medical system having the features discussed above. Accordingly, claim 7 patentably distinguishes over the prior art and is allowable. Claim 10 being dependent upon claim 7 is thus at least allowable therewith (claims 8, 9, 11 and 12 being canceled).

Lastly, new claims 13 and 14 have been added to further define the patentable invention. New claims 13 and 14 are fully supported in the original disclosure. Thus, no new matter has been entered into the disclosure by way of the addition of new claims 13 and 14. Applicants respectfully submit that new claims 13 and 14 are at least allowable as depending upon an allowable base claim (7).

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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